

§ 165.166

underway in the RNA shall proceed to clear the impacted area immediately.

(4) Vessels, 300 gross tons or greater, and tugs with tows are prohibited from meeting or overtaking other vessels when transiting alongside an active work area.

(5) Vessels, 300 gross tons or greater, and tugs with tows transiting with the prevailing current (as measured from the Battery tide station) are regarded as the stand-on vessel.

(6) Prior to entering the RNA, the master, pilot or operator of each vessel, 300 gross tons or greater and tugs with tows, shall ensure that they have sufficient propulsion and directional control to safely navigate the area under the prevailing conditions, and shall notify VTSNY as to their decision regarding the employment of assist tugs while transiting the RNA.

(7) Hawser or wire length must not exceed 100 feet, measured from the towing bit on the tug to the point where the hawser or wire connects with the towed vessel or barge, for any vessel with another vessel/barge in tow.

(8) Waiver. The Captain of the Port, New York may, upon request, authorize a deviation from any regulation in this section if it is found that the proposed operations can be done safely. An application for deviation must be received not less than 24 hours before the intended operation and must state the need and describe the proposal.

(9) Tugs with tows includes a tug with a vessel or barge in tow, alongside, or being pushed.

[USCG-1998-4443, 64 FR 18579, Apr. 15, 1999; CGD01-98-165, 64 FR 34313, June 25, 1999]

§ 165.166 Safety Zone; Annual Burlington Independence Day Celebration Fireworks Display, Burlington Bay, Vermont.

(a) *Location.* All waters of Burlington Bay within a 250 yard radius of a fireworks platform anchored approximately 250 yards west of Burlington, Vermont, at or near 44°28' 33' N latitude and 073°13' 33' W longitude (NAD 1983).

(b) *Effective period.* The safety zone is in effect annually on the third of July from 7:45 p.m. until 10:15 p.m., unless

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extended or terminated sooner by the Captain of the Port New York. The effective period will be announced annually via Safety Marine Information Broadcasts and locally issued notices.

(c) *Regulations.* (1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[CGD01-95-012, 60 FR 31408, June 15, 1995]

§ 165.167 Safety Zone; Annual Rensselaer Festival Fireworks Display, Hudson River, New York.

(a) *Location.* The safety zone includes the waters of the Hudson River, shore to shore, north of 42°38' 12" N latitude (NAD 1983) and south of the Dunn Memorial Bridge, Albany, New York.

(b) *Effective period.* This section is in effect annually on the third Saturday in September from 8:30 p.m. until 10 p.m., unless extended or terminated sooner by the Captain of the Port New York. The effective period will be announced annually via Safety Marine Information Broadcasts and locally issued notices.

(c) *Regulations.*

(1) The general regulations contained in 33 CFR 165.23 apply.

(2) All persons and vessels shall comply with the instructions of the Coast Guard Captain of the Port or the designated on scene patrol personnel. U.S. Coast Guard patrol personnel include commissioned, warrant, and petty officers of the Coast Guard. Upon being hailed by a U.S. Coast Guard vessel via siren, radio, flashing light, or other means, the operator of a vessel shall proceed as directed.

[CGD 01-011, 60 FR 42789, Aug. 17, 1995]